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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of
12 PROP38YES.COM, SCHOOL VOUCHERS,
13 and BETTY PRESLEY,
14 Respondents.
15

FPPC No.: 03/050

STIPULATION, DECISION, and
ORDER

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17 Complainant Mark Krausse, Executive Director of the Fair Political Practices
18 Commission, and Respondents Prop38yes.com, School Vouchers, and Betty Presley hereby
19 agree that this stipulation will be submitted for consideration by the Fair Political Practices
20 Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised
22 in this matter, and to reach a final disposition without the necessity of holding an administrative
23 hearing to determine the liability of Respondents.

24 Respondents understand, and hereby knowingly and voluntarily waive, any and all
25 procedural rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in
26 sections 18361.1 – 18361.9 of title 2 of the California Code of Regulations. This includes, but is
27 not limited to, the right to personally appear at any administrative hearing held in this matter, to
28 be represented by an attorney at Respondents' own expense, to confront and cross-examine all

witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

It is further stipulated and agreed that Respondents Prop38yes.com, School Vouchers, and Betty Presley violated the Political Reform Act by failing to properly report required information regarding expenditures made to sub-vendors, in violation of section 84303 of the Government Code (12 counts), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondents agree to the issuance of the decision and order, which is attached hereto. Respondents also agree to the Commission imposing upon them an administrative penalty in the amount of Twenty-four Thousand Dollars (\$24,000). A cashier's check from Respondents in that amount, made payable to the "General Fund of the State of California," is submitted with this stipulation as full payment of the administrative penalty, to be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate and agree that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.

Dated: _____

Mark Krausse, Executive Director
Fair Political Practices Commission

Dated: _____

Betty Presley, individually and on behalf of
Prop38yes.com, School Vouchers, Respondents

1
2 **DECISION AND ORDER**

3 The foregoing stipulation of the parties “In the Matter of Prop38yes.com, School
4 Vouchers, and Betty Presley, FPPC No. 03/050,” including all attached exhibits, is hereby
5 accepted as the final decision and order of the Fair Political Practices Commission, effective
6 upon execution below by the Chairman.

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8 IT IS SO ORDERED.

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10 Dated: _____

11 Liane M. Randolph, Chairman
12 Fair Political Practices Commission
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